

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

Achievement gap for students with disabilities

Applicable Statute or Regulation:

KRS 157.195, 157.230, 158.649, 707 KAR 1:270. 1:002, 1:290, 1:300, 1:310, 1:320, 1:340, 1:350, 1:360, 1:370, and 1:380, PL 107-110 No Child Left Behind, Individuals with Disabilities Education Act of 2004 (IDEA);

History/Background:

Existing Policy. Prior to implementation of the *No Child Left Behind Act*, through disaggregating of assessment data, the Kentucky Department of Education (KDE) had begun identifying populations of students who were at risk of having an unsuccessful educational experience. Students with disabilities, males (particularly African-American males), and students living in poverty were found to be the most at risk. As a result of this and other information, the Kentucky General Assembly passed KRS 158.649 (also known as Senate Bill 168). This legislation requires school councils to set targets for reducing gaps in achievement in specific populations. The passage of No Child Left Behind and the passage of the IDEA 2004 enhanced Kentucky's emphasis and presented the challenge that all students have a successful school experience, with the goal of all reaching proficiency by 2014.

While not commensurate with peers and not at acceptable levels, African-American students and students of poverty have shown gains in academic performance and in closing the gap (point difference in scores) over the last several years. Students with disabilities have made gains in performance, but the gap remains so large that it diminishes performance gains. Further, when disaggregating NCLB data, most of the districts missed Adequate Yearly Progress (AYP) because of the area of students with disabilities.

The focus of the discussion at the October 2008 meeting will be the achievement gap between the performance of students with disabilities and their non-disabled peers. First, there are not discernable reasons for such a gap. Although some may believe that a gap is inherent in the term disability, this is not the case. In order to better inform the discussion of the achievement gap between students with disabilities and non-disabled students, one should know who the students are and how the students are identified as students with a disability. Attachment A shows the fourteen categories and numbers of students with special needs in Kentucky. Attachment B provides the definitions for these categories and Attachment C describes the process for a local school district to follow to identify a student eligible for services as a student with a disability. It should be noted that many students with disabilities have at least average intelligence and are not

disabled in every content area, and most do not have disabilities that present severity in cognition.

Policy Issues:

The following issues are believed to be contributing factors that influence the achievement scores of students with disabilities. KBE's knowledge of these issues may need to be considered and integrated in future policy decisions.

Low Expectations - Expectations for the performance of students with disabilities is low in too many regular and special education classes. Oftentimes, educators do not see beyond the student's disability and make assumptions regarding the student's abilities, based upon the disability label. As a result, students with disabilities are not challenged and become more dependent on others to achieve. Over time, accepting less than a student is capable of achieving promotes an environment that results in learned helplessness for the student with disabilities.

Access and Opportunity - Students with disabilities must have access to the same curriculum as their non-disabled peers if we are to see a reduction in the achievement gap. Low expectations often lead to not giving students with disabilities the opportunity to learn the same material or be in the classrooms where the material is being taught. Further, some special education teachers do not have content background so their students in isolated settings do not receive the same curricular offerings or content as other students. Kentucky has historically had the best data in the nation regarding students with disabilities receiving instruction in the regular classroom. While they have been in regular education classrooms, have they had opportunity? That is, have they been given the opportunity to have the supports they need to meet their unique learning differences? Are there other students who are not identified in that same classroom that would benefit from that differentiated instruction? Data and research show students with disabilities making the most gains in collaborative settings (regular and special teacher in same classroom). KDE must educate and appropriately train more school personnel to implement and embrace this strategy if they are to succeed in closing gaps.

Beliefs and Myths - Not all students experiencing academic challenges have a disability. If a student has not been provided appropriate instruction and is therefore having academic challenges, it is not okay to identify an educational disability. Also, erroneous stereotypes exist about the academic ability of most students with disabilities. This often results in teaching down or skipping content deemed inappropriate. Kentucky's Systems of Intervention (KSI) provides guidance to local school districts that will assist in ensuring that the focus is on each and every child receiving high quality core instruction and if the child is not succeeding, receiving interventions to support him/her.

Intervention - As recommended by the *Blue Ribbon Panel on Interventions*, a systemic model of intervention and support is needed for our lowest performing schools. Solutions for local school districts to close the achievement gap do not rest with any one office or division within KDE. Each office must combine efforts for a unified and common focus on increasing achievement in these schools and for these students. Instruction for all of Kentucky's students is the responsibility of all educators. While KDE is continuing to work more closely across offices, it is essential that our local school districts do the same. Curriculum, instruction, assessment and

finance must all rise to the challenge of educating all students. Oftentimes when we witness achievement gaps between students with disabilities and their non-disabled peers, special education is far removed from the instructional decisions of the local school district.

Teacher Quality - Special education has the most severe teacher shortage, which adds to the dilemma of having a qualified professional in the classroom for special education students. Many initiatives have been implemented and are currently in place for the recruitment and retention of special education teachers. However, the special education teacher turnover is the greatest among all of the educators. What are the implications for this frequent change in teachers for the students? Why do some local school districts have fewer turnover than others?

Impact of Getting to Proficiency:

The achievement gap between students with disabilities and non-disabled students is unacceptable. In order for the students with disabilities to have a successful school experience, be prepared for postsecondary education or employment, and reach proficiency, the concerns raised must continue to be addressed.

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